

Message Text

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PAGE 01 STATE 205987

43

ORIGIN TRSE-00

INFO OCT-01 EA-11 ISO-00 EB-11 L-03 DRC-01 /027 R

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DRAFTED BY:TRSY:OS:MDFIELD

10/15/73 EXT 2589

APPROVED BY:EB/IFD/OMA:JKRIZAY

EB/IFD/OMA:MR. MINNIES EA/IMS:MR. BESHOAR (INFO)

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R 172110Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

UNCLAS STATE 205987

E.O. 11652: N/A

TAGS: EFIN

SUBJECT: INCOME TAX TREATY

REF: STATE 201492

1. FOLLOWING CHANGES IN THE CONVENTION PROPOSED
IN THE COURSE OF STATE DEPARTMENT REVIEW:

A. IN ARTICLE 3 PARAGRAPHS (1)(A)(II) AND (1)(B)
(II) INSERT THE WORD "RESOURCE" BEFORE "RIGHTS" TO
CLARIFY THAT RIGHTS ARE LIMITED TO EXPLORATION AND
EXPLOITATION OF NATURAL RESOURCES. IN VIEW OF GOI
DIFFICULTY IN DEPARTING FROM THEIR TRADITIONAL LANGUAGE
HAVE TRIED TO FORMULATE MINIMUM CHANGE NECESSARY TO
CLARIFY THIS POINT WHICH IS OF SOME IMPORTANCE. IF GOI
CAN AGREE TO ALSO SUBSTITUTE "EXCLUSIVE" FOR "SOVEREIGN"
THAT WOULD BE PREFERRED, BUT INSERTION OF THE WORD "RE-
SOURCE" IS THE ESSENTIAL POINT.

B. IN THE COPY OF FINAL DOCUMENT IN WHICH UNITED
STATES APPEARS FIRST THE ENGLISH TERMS IN ARTICLE 2
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PARAGRAPH (1)(B) SHOULD PRECEDE WITH INDONESIAN TERMS

FOLLOWING IN PARENTHESES.

C. IN ARTICLE 30, FIRST LINE, REPLACE "SHALL BE RATIFIED" WITH "SHALL BE SUBJECT TO RATIFICATION."

D. TWO STYLE CHANGES RECOMMENDED IN THE PREAMBLE, IF ACCEPTABLE TO GOI: DELETE "GOVERNMENT OF" AND FIRST USE "THE UNITED STATES OF AMERICA AND THE REPUBLIC OF INDONESIA" AS IN THE TITLE. AND INSTEAD OF "HAVE AGREED UPON THE FOLLOWING ARTICLES" SAY "HAVE AGREED AS FOLLOWS." THESE ARE JUST SUGGESTIONS; POINTS A, B AND C ARE MORE IMPORTANT.

E. TABLE OF CONTENTS DOES NOT APPEAR IN THE FINAL DOCUMENT.

2. WOULD LIKE TO CLARIFY PARAGRAPH 3 OF REFTTEL. WHAT WE ARE SENDING IS A FINAL DRAFT NOT FINAL TEXT FOR SIGNATURE WHICH WE EXPECT WILL BE PREPARED BY GOI SINCE SIGNING WILL BE IN JAKARTA. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, INCOME TAXES
Control Number: n/a
Copy: SINGLE
Draft Date: 17 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Drafter: TRSY:OS:MDFIELD
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Handling Restrictions: n/a
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30 JUN 2005

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